THE HON'BLE MRS JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR JUSTICE P. LAKSHMANA REDDY

WRIT APPEAL NO :1489 of 2005

Dated: 22.08.2005

Between:

1. **The Director General of Police, CRPF,**

CGO Complex, Lodhi Road, New Delhi and

Three others.

..Appellants

Vs.

P.V. Varghese,S/o P.V.Varghese.

…. Respondent.

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR JUSTICE P. LAKSHMANA REDDY

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WRIT APPEAL NO :1489 of 2005

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JUDGMENT: (Per the Honourable Smt Justice T. Meena Kumari)

This writ appeal is filed by the appellants aggrieved by the order passed by the learned Single Judge in WPMP No.7320 of 2005 in WP No.932 of 2004, dated 18.3.2005.

The appellants herein are the respondents and respondent herein is the petitioner in the writ petition.

Originally, the writ petition was filed seeking a direction in the nature of writ of mandamus, to declare the signal message No.T.IX-10/03-04-RAF, EC.II dated 14.1.2004 issued by the 3rd respondent as arbitrary and to set aside the same and

also to direct the 1st respondent to consider and retain the petitioner in 4th respondent-unit by canceling the transfer orders issued vide Office Order No.T.IX-10/03-Pers.II, dated 4.11.2003 insofar as it related to the transfer of the petitioner for a period of one year with all consequential benefits. The learned Single Judge while disposing of the writ petition directed the respondents to give effect to the impugned proceedings w.e.f. 01.04.2005. Subsequently, the petitioner came with an application in WPMP No.7320 of 2005 seeking extension of time granted in the writ petition from 01.04.2005 to 31.1.2006. The learned Single Judge extended the time accordingly. Aggrieved by the same, the respondents preferred the present appeal.

When this matter has come up for admission, Mr. Jagadishwar Reddy, Counsel representing Mr. Rajasekhar Reddy, Assistant Solicitor General, submitted that vide proceedings dated 29.07.2005, the request of the petitioner to cancel his transfer to 11 Bn. CRPF, New Delhi has been considered by the competent authority and he has now been realloted to Southern Sector for further posting to a Unit of Group center CRPF, Hyderabad or Group Centre, CRPF Rangareddy so that his wife can continue her treatment at NIMs, Hyderabad, and therefore, no further orders are necessary in the writ appeal. The learned Counsel also submitted a letter, dated 20.8.2005 to that effect. It is further submitted that the cause in this writ appeal, does not survive for adjudication and thereby, the same has become infructuous.

However, recording the above submission, the writ appeal is disposed of in terms of the above letter. No order as to costs.

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Justice T.Meenakumari

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Justice P. Lakshmana Reddy

Dated: 22nd August, 2005.

Nn/rkk.